

EXHIBIT "1"

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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

In re

Bankruptcy No. 18-13403ELF

Salvatore Carbone  
Debtor

Gary Seitz, Chapter 7 Trustee  
Plaintiff

Adversary No. 19-68

Salvatore Carbone  
Defendant

Wendy Carbone  
Defendant

Raymond I Carbone  
Defendant

Cathy Sikora  
Defendant

Carbone Brothers, LLP  
Defendant

Builder Pros Construction:  
Defendant

Builders Pro Constructors, LLC  
Defendant

**SUMMONS IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days. Answer is due April 28, 2019.

Address of Clerk

U.S. Bankruptcy Court  
Robert N.C. Nix Building  
900 Market Street, Suite 400  
Philadelphia PA 19107-4299

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name/Address of Plaintiff's Attorney

Robert J. Birch, Esq.  
325 Sentry Parkway  
Blue Bell, PA 19422

If you make a motion, your time to answer is governed by Bankruptcy Rule 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR  
CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT  
MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

FOR THE COURT

TIMOTHY B. MCGRATH  
CLERK

March 29, 2019

By: s/ Paul A. Puskar  
Deputy Clerk

UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER 7
SALVATORE CARBONE	:	
	:	CASE NO. 18-13403-elf
DEBTOR	:	
	:	
GARY SEITZ, ESQUIRE	:	
CHAPTER 7 TRUSTEE	:	
PLAINTIFF	:	ADVERSARY NO.
	:	
v.	:	
SALVATORE CARBONE, WENDY	:	
CARBONE, RAYMOND CARBONE,	:	
CATHY BIRD SIKORA,	:	
CARBONE BROTHERS, L.P.	:	
BUILDER PROS CONSTRUCTION LLC:	:	
BUILDERS PRO CONTRACTORS, LLC:	:	
DEFENDANTS	:	

COMPLAINT

Plaintiff, Gary Seitz, Esquire, the Chapter 7 Trustee, by and through his undersigned special counsel, files the within Complaint against the defendants named herein, and avers as follows:

JURISDICTION AND VENUE

1. The Bankruptcy Court has jurisdiction over this Adversary Proceeding pursuant to 28 U.S.C. § 1334.
2. This Adversary Proceeding is a "core" proceeding pursuant to 28 U.S.C. § 157(b).
3. Venue is proper pursuant to 28 U.S.C. § 1409(a).

### THE BANKRUPTCY

4. On May 22, 2018 (the “Petition Date”), Salvatore Carbone (the “Debtor” or “Sal Carbone”) filed a voluntary petition under chapter 7 of the United States Code, 11 U.S.C. § 101 et seq. (the “Bankruptcy Code”).

5. On May 22, 2018, Gary Seitz was appointed Chapter 7 Trustee [Docket No. 4].

### BACKGROUND

6. Sal Carbone was a partner in an entity known as Carbone Brothers, L.P. (“Carbone Brothers”)

7. Upon information and belief, Carbone Brothers was a Pennsylvania Limited Partnership, with an address at 368 Old Morris Road, Harleysville, Pennsylvania, 19438.

8. Sal Carbone lives at 368 Old Morris Road, Harleysville, Pennsylvania, 19438.

9. Carbone Brothers was in the business of providing construction and general contracting services.

10. The other partners in Carbone Brothers were Raymond Carbone (“Ray”) and Bruno Carbone (“Bruno”). There was no partnership agreement.

11. Upon information and belief, Sal Carbone was the managing partner of Carbone Brothers at all times relevant to this Complaint.

### THE MONTGOMERY COUNTY JUDGMENT

12. John Antonucci (“Antonucci”) was solicited by the Carbones to participate in a real-estate-investments deal with the Carbones and Stolfi (since this is the first time mentioning him, you should state his full name and then define him as Stolfi), related to certain real property located at 628 Cressman Road, Harleysville, PA 19438 (the “Harleysville Property”).

13. Antonucci provided the sole source of funding, \$246,500, for the deal in return for an agreement to repay Antonucci the \$246,500, plus interest at a rate of prime plus ½%, and one-fifth of any profits earned from the sale of the Harleysville Property.

14. The money was put into a Harleysville Savings Bank account titled in the names of Salvatore Carbone and Raymond Carbone.

15. The Harleysville Property was sold for \$295,395.04.

16. At or about the time of the settlement of the sale of the Harleysville Property, Raymond and Salvatore propositioned Antonucci to enter into a similar deal related to three real-property deals in Delaware (collectively, the "Delaware Properties"): one related to a property known as "Oak Orchard" (the "Oak Orchard Property"); and two related to two vacant lots in Lewes Delaware (the "Lewes Properties").

17. Antonucci agreed to roll the \$246,500 Loan over so that the Carbones and Stolfi could utilize the Loan in relation to the Delaware Properties.

18. The parties agreed to enter into a partnership with the Carbones and Stolfi related to the Delaware Properties, whereby each person would invest their profits from the sale of the Harleysville Property, and each person would be an equal partner, and would share equally in the profits and/or losses related to the Delaware Properties, except that, in any event, the Carbones and Stolfi would repay the \$246,500.00 Loan to Antonucci, plus interest at a rate of prime plus ½% (the "Delaware Partnership Agreement").

19. Ultimately the Carbones and Stolfi constructed and sold the Oak Orchard and Lewes Properties, but failed and/or refused to repay Antonucci anything despite evidence of substantial profits from the sales of these properties.

20. Further, even though they represented that there was no money left to repay Antonucci, the Carbone and Stolfi purchased boats, pools, trucks, and other luxury items at or about the same time.

21. On July 21, 2009, Antonucci commenced an action against Carbone Brothers, the Carbone and Stolfi in Montgomery County at docket 2009-22589 for, *inter alia*, breach of contract.

22. On or about February 23, 2017, the Hon. Maurino Rossanese entered an arbitration award in the amount of \$456,860.52 against Carbone Brothers, Sal Carbone, Ray, Bruno and Stolfi. The award was confirmed by Order of the Court of Common Pleas on October 2, 2017. See Exhibit "A"

23. When Antonucci attempted to collect on his judgment and contempt motions were pending in the Court, the Carbone and Stolfi each filed Chapter 7 Petitions in this Court.

#### CARBONE BROTHERS

24. Carbone Brothers operated from the house of Sal Carbone.<sup>1</sup>

25. Sal Carbone handled the books and records for Carbone Brothers, including managing all the paperwork for the business.<sup>2</sup>

26. Upon information and belief, no formalities were ever observed for this partnership, and no records were kept of any meetings between the partners.

27. The last tax return produced by Carbone Brothers in 2010 showed equipment worth \$236,853. No accounting has been made for that equipment.

28. Sal Carbone claimed on his Chapter 7 schedules that Carbone Brothers ceased to exist in 2009. However, Ray's schedules state that Carbone Brothers ceased to exist in 2014, and

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<sup>1</sup> Transcript 9/23/2013 pg. 14

<sup>2</sup> Transcript 9/23/2013 pg. 12

Bruno claimed that Carbone Brothers ceased in 2011. See excerpts of these Chapter 7 schedules attached as **Exhibit “B”**.

29. Despite claiming that Carbone Brothers was out of business in 2009, Ray filed pleadings in the Court of Common Pleas of Montgomery County on behalf of Carbone Brothers in a matter known as York v. Rudakevich, CCP Montco. 2015-31922 (“York Complaint”). On December 28, 2016, Ray averred that the contracting in the York matter was performed by Carbone Brothers, and never claimed that Carbone Brothers was out of existence.

30. During the 341 Meeting of Creditors, Sal Carbone testified that Ray was using the truck and plow that was associated with the Carbone Brothers’ plowing business. Sal Carbone permitted the transfer of the vehicle and plowing business to Ray for little or no value, which has not been recovered for the benefit of the creditors.

31. Sal Carbone did not receive any value in exchange for the transfer.

32. Carbone Brothers paid Wendy’s personal expenses such as travel, entertainment, and utilities. See **Exhibit “C”**

33. As of April 23, 2016, the Pennsylvania Attorney General’s website listed an active contractors license for Carbone Brothers.

34. However, upon information and belief, Sal Carbone is continuing the operations of Carbone Brothers through entities known as “BUILDER PROS CONSTRUCTION LLC”, “BUILDER PROS CONTRACTORS LLC” and/or “BUILDER PROS MANAGEMENT LLC” (“Builder Pros Entities”). These entities have the same registered address as Carbone Brothers.

35. The foregoing operations of these businesses commenced before Sal Carbone’s bankruptcy filing and when the Montgomery County action was pending.



36. At the 341 Meeting of Creditors, Sal Carbone testified that his wife, Wendy Carbone (“Wendy”) was operating the Builder Pros Entities. Upon information and belief, Wendy has no knowledge of the construction business and is merely a “figurehead” to make it appear that Sal Carbone is not involved in the business operations.

37. Upon information and belief, Wendy is receiving business income from the Builder Pros Entities that is intended for Sal Carbone.

#### THE SELLERSVILLE PROPERTY

38. Notwithstanding the fact that Sal Carbone listed on his Chapter 7 schedules and testified that Carbone Brothers ceased to exist in 2009, in 2014 Ray filed a Construction Permit Application on behalf of Carbone Brothers to construct a single family residence at 260 Elmhurst Avenue, Sellersville, Pennsylvania (“Sellersville Property”). See **Exhibit “D”**.

39. Upon information and belief, Carbone Brothers, Ray and/or Sal Carbone fronted the \$45,000 for the purchase of the building lot and had the deed put in the name of Cathy Bird Sikora (“Sikora”).

40. Upon information and belief, Sikora is in a relationship with Ray.

41. At all times, Sellersville Borough referred to the Sellersville Property as the “Carbone Brothers Property”. Attached hereto as **Exhibit “E”** is a deed description prepared by Sellersville Borough for the lot consolidation of the Sellersville Property

42. Carbone Brothers’ engineers, Borusiewicz, submitted plans to Sellersville Borough for the construction of the Sellersville Property. The plans were prepared for the “Carbone Brothers Property”. See **Exhibit “F”**.

43. Further, it is apparent that Carbone Brothers was still operating in 2014 at its registered address of 368 Old Morris Road

44. Mail to the Sellersville Property is being sent to 45 W. Mt. Kirk Avenue, Norristown ("Mt. Kirk Property"). Upon information and belief, Carbone Brothers built the Mt. Kirk Property, similar to the Sellersville Property, and transferred this property to Sikora for little or no value. See **Exhibit "G"**

45. Neither Carbone Brothers nor Sal Carbone receives any value in exchange for these transfers.

**CARBONE REALTY, INC.**

46. Sal Carbone's Chapter 7 schedules show that Sal Carbone is a partner or shareholder in Carbone Realty, Inc. ("Carbone Realty").

47. Carbone Realty's currently registered address is 128 Barbara Drive, Yardley, PA 19067, which was a house owned at least at one time by Sal Carbone's sister, Sophia Freeman.

48. Sal Carbone is listed as the President of Carbone Realty.

49. Carbone Realty purportedly owns property in Montrose County that may have valuable gas rights attached.

50. Despite repeated requests from Plaintiff to produce an appraisal for the Montrose Property and tax returns for Carbone Realty, nothing was produced.

51. During the course of this proceeding, the Plaintiff may learn through discovery or otherwise of additional transfers made by any of the defendants. The Plaintiff's intention is to avoid and recover all such transfers. The Plaintiff reserves the right to amend this Complaint to include later identified transfers.

CLAIMS FOR RELIEF

COUNT I

**AVOIDANCE AND RECOVERY OF FRAUDULENT TRANSFERS PURSUANT TO  
11 U.S.C. §§ 548(A)(1)(A) AND 550(A)**

52. The Plaintiff incorporates the above paragraphs of this Complaint as though set forth fully herein.

53. The transfers of the Carbone Brothers' plowing business, equipment, the Sellersville Property and the Mt. Kirk Property constitute "transfers" within the meaning of Bankruptcy Code section 101(54).

54. Each Transfer is a transfer of an interest of the Debtor in property.

55. The last Transfer was made on or within two (2) years before the Petition Date.

56. The Transfers were made on or within two (2) years before the Petition Date

57. Each Transfer was made with the actual intent to hinder, delay, or defraud one or more entities to which the Debtor was or became, on or after the date that such Transfer was made, indebted.

58. Pursuant to Section 548(a)(1)(A) of the Bankruptcy Code, the Plaintiff is entitled to avoid the Transfers.

59. Pursuant to Section 550(a) of the Bankruptcy Code, the Plaintiff is entitled to recover the Transfers avoided for the benefit of the Bankruptcy Estate.

WHEREFORE, the Plaintiff, Gary Seitz, Esquire, respectfully requests that this Honorable Court:

- A. Enter judgment in favor of the Plaintiff and against all Defendants in an amount not less than the aggregate amount of the Transfers, plus costs, interest, and attorney's fees as allowed by law;
- B. Awarding an attachment against the assets fraudulently transferred and/or the property of the transferees
- C. Grant such other and further relief as this Court may deem just and proper

**COUNT II**  
**AVOIDANCE AND RECOVERY OF FRAUDULENT TRANSFERS**  
**PURSUANT TO THE PENNSYLVANIA UNIFORM FRAUDULENT TRANSFER**  
**ACT, 12 PA. C.S.A. §§5104(A)(1), (A)(2)**

60. The Plaintiff incorporates the above paragraphs of this Complaint as though set forth fully herein.

61. At the time that Carbone Brothers and Sal Carbone's interests in the plowing business, equipment, the Sellersville Property and Mt. Kirk Property transferred, the Court had established the trial date in the Montgomery County Action.

62. The Plaintiff in the Montgomery County Action stated counts against Sal Carbone, Ray, Bruno, Stolfi and Carbone Brothers.

63. Knowing that their assets were at-risk, the defendants placed the plowing business, equipment, the Sellersville Property and Mt. Kirk Property out of reach of Antonucci and other creditors *vis-a-vis* the Transfers.

67. The Transfers are a transfer of interest by the Debtor in property.

68. Sal Carbone received either nominal or no value in return for the Transfers.

68. This Complaint is filed within four (4) years after the Transfers were made.

69. The Transfers were made with the actual intent to hinder, delay, or defraud one or more of the creditors within the meaning of §5104(a)(1) of the Pennsylvania Uniform Fraudulent Transfer Act ("UFTA").

70. UFTA, 12 Pa. C.S.A §5104(b), has identified eleven badges of fraud in determining actual intent. Defendants violated §§5104(b)(1),(4),(5),(7),(10).

71. As a direct and proximate result of the Defendants' conduct, present and/or future creditors suffered damages.

72. Such creditors could obtain a judgment for the value of the Transfers against the Defendants as set forth in Section 5108(b) of the UFTA.

73. Pursuant to Section 544 of the Bankruptcy Code, the Plaintiff is entitled to avoid the Transfers.

74. The Defendants were the initial transferees of each Transfer.

75. Pursuant to Section 550(a) of the Bankruptcy Code, the Plaintiff is entitled to recover the Transfers avoided for the benefit of the Bankruptcy Estate.

WHEREFORE, the Plaintiff, Gary Seitz, Esquire, respectfully requests that this Honorable Court:

A. Enter judgment in favor of the Plaintiff and against all Defendants in an amount not less than the aggregate amount of the Transfers, plus costs, interest, and attorney's fees as allowed by law;

B. Awarding an attachment against the assets fraudulently transferred and/or the property of the transferees

C. Grant such other and further relief as this Court may deem just and proper

**COUNT III**  
**PIERCING THE CORPORATE VEIL/TRANSFeree LIABILITY AS AGAINST ALL**  
**CORPORATE DEFENDANTS**

76. The Plaintiff incorporates the above paragraphs of this Complaint as though set forth fully herein.

77. Sal Carbone is continuing the operations of Carbone Brothers under the guise of the Builder Pros Entities. These entities have the same registered address as Carbone Brothers.

78. The Builder Pros Entities are all the alter egos of each other, and as such each is liable for the debts incurred by each.

79. The Builder Pros Entities are controlled by Sal Carbone.

80. The Builder Pros Entities are substantially identical and each should be considered the alter ego of the others and/or such entities should be considered to be one enterprise.

81. Upon information and belief, the Builder Pros Entities are each the alter ego of the other because, among other things:

- a. The Builder Pros Entities share the same management;
- b. The Builder Pros Entities share a similar and/or supplementary business purpose;
- c. The Builder Pros Entities share the same office and/or other equipment;
- d. The Builder Pros act as a similar operation, sharing an office space, employees, and customer accounts
- e. The Builders Pros Entities share the same ownership.

82. At all times relevant and material hereto, Sal Carbone was the dominant and controlling shareholder of the Builder Pros Entities.

83. Upon information and belief, at the direction and control of their dominant and controlling shareholder, Sal Carbone, the Builder Pros Entities failed to adhere to corporate formalities including the regularly scheduling of shareholder and corporate officer meetings.

84. At all times relevant and material hereto, upon information and belief, the Builder Pros Entities failed to maintain corporate records.

85. At all times relevant and material hereto, the Builder Pros Entities were and are severely undercapitalized.

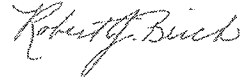
86. At all times and relevant and material hereto, upon information and belief, the defendant, Sal Carbone, as the dominant and controlling shareholder of the Builder Pros Entities directed and caused the intermingling of the corporate funds and affairs with the personal funds and affairs of Sal Carbone to the extent that the Builder Pros Entities are a sham and mere facade for the operations and personal interests of their dominant and controlling shareholder, Sal Carbone.

87. Moreover, it is believed that the Builder Pros Entities are merely a continuation of Carbone Brothers.

88. This Court should disregard the corporate form of the Builder Pros Entities.

WHEREFORE, Plaintiff demands that this Honorable Court pierce the corporate veil of Builder Pros Construction, LLC, Builder Pros Contractors LLC and Builder Pros Management LLC., disregarding their corporate identity to extend liability directly to Defendant, Salvatore Carbone and enter judgment against Salvatore Carbone and Wendy Carbone for the value of all transfers identified in this Complaint, plus incidental damages, including but not limited to, attorneys fees together with pre and post judgment interest, costs and any other relief that this Court deems just and equitable.

Respectfully submitted:



Dated: March 29, 2019

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Robert J. Birch, Esquire  
Attorney for Plaintiff, Gary Seitz, Esquire  
Chapter 7 Trustee



EXHIBIT A

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA  
CIVIL ACTION

JOHN ANTONUCCI

Plaintiff

No. 2009-22589

v.

CARBONE BROTHERS, LLP; BRUNO  
CARBONE; RAYMOND CARBONE;  
SALVATORE CARBONE; and PHILIP  
STOLFI

Defendants

ORDER

AND NOW, this 2<sup>nd</sup> day of October, 2017, upon consideration of Plaintiff's Motion to  
Confirm the Arbitration Award, and Defendants' response thereto, it is hereby **ORDERED** and  
**DECREED** that said motion is **GRANTED**.



2009-22589-0114 10/3/2017 11:28 AM #11469397

Order

Rept: Z3236141 Fee: \$0.00

Mark Levy - MontCo Probationary


BY THE COURT

Richard P. Haaz,

J.

Copies sent on 10/3/17 to:

David C. Onorato, Esquire  
Keith J. Cohen, Esquire  
Alexander G. Tuttle, Esquire  
Jackie McAllister, Court Administration

  
Secretary

THIS DOCUMENT WAS DOCKETED AND SENT ON 10/03/2017

3

Debtor 1 Bruno Marco Carbone

Case number (if known)

toxic substances, wastes, or material into the air, land, soil, surface water, groundwater, or other medium, including statutes or regulations controlling the cleanup of these substances, wastes, or material.

- ☒ Site means any location, facility, or property as defined under any environmental law, whether you now own, operate, or utilize it or used to own, operate, or utilize it, including disposal sites.
- ☒ Hazardous material means anything an environmental law defines as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, contaminant, or similar term.

Report all notices, releases, and proceedings that you know about, regardless of when they occurred.

24. Has any governmental unit notified you that you may be liable or potentially liable under or in violation of an environmental law?

- ☒ No
- ☐ Yes. Fill in the details.

Name of site Address (Number, Street, City, State and ZIP Code)	Governmental unit Address (Number, Street, City, State and ZIP Code)	Environmental law, if you know it	Date of notice
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25. Have you notified any governmental unit of any release of hazardous material?

- ☒ No
- ☐ Yes. Fill in the details.

Name of site Address (Number, Street, City, State and ZIP Code)	Governmental unit Address (Number, Street, City, State and ZIP Code)	Environmental law, if you know it	Date of notice
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26. Have you been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

- ☒ No
- ☐ Yes. Fill in the details.

Case Title Case Number	Court or agency Name Address (Number, Street, City, State and ZIP Code)	Nature of the case	Status of the case
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#### Part 11: Give Details About Your Business or Connections to Any Business

27. Within 4 years before you filed for bankruptcy, did you own a business or have any of the following connections to any business?

- ☐ A sole proprietor or self-employed in a trade, profession, or other activity, either full-time or part-time
- ☐ A member of a limited liability company (LLC) or limited liability partnership (LLP)
- ☐ A partner in a partnership
- ☐ An officer, director, or managing executive of a corporation
- ☐ An owner of at least 5% of the voting or equity securities of a corporation

- ☐ No. None of the above applies. Go to Part 12.

- ☒ Yes. Check all that apply above and fill in the details below for each business.

Business Name Address (Number, Street, City, State and ZIP Code)	Describe the nature of the business Name of accountant or bookkeeper	Employer Identification number Do not include Social Security number or ITIN.
Carbone Realty, Inc. 128 Barbara Drive Morrisville, PA 19067	Real Estate	Dates business existed EIN: 27-1251391 From-To 2008 - present
Carbone Bros. 1902 S. 21st Street Philadelphia, PA 19145	Construction	EIN: 23-2755426 From-To 1992 to 2011

Debtor 1 Salvatore Carbone

Case number (if known)

25. Have you notified any governmental unit of any release of hazardous material?

- ☒ No  
☐ Yes. Fill in the details.

Name of site Address (Number, Street, City, State and ZIP Code)	Governmental unit Address (Number, Street, City, State and ZIP Code)	Environmental law, if you know it	Date of notice
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26. Have you been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

- ☒ No  
☐ Yes. Fill in the details.

Case Title Case Number	Court or agency Name Address (Number, Street, City, State and ZIP Code)	Nature of the case	Status of the case
---------------------------	---	--------------------	--------------------

**Part 12** Give Details About Your Business or Connections to Any Business

27. Within 4 years before you filed for bankruptcy, did you own a business or have any of the following connections to any business?

- ☐ A sole proprietor or self-employed in a trade, profession, or other activity, either full-time or part-time  
☒ A member of a limited liability company (LLC) or limited liability partnership (LLP)  
☐ A partner in a partnership  
☐ An officer, director, or managing executive of a corporation  
☐ An owner of at least 5% of the voting or equity securities of a corporation

☐ No. None of the above applies. Go to Part 12.

☒ Yes. Check all that apply above and fill in the details below for each business.

Business Name Address (Number, Street, City, State and ZIP Code)	Describe the nature of the business Name of accountant or bookkeeper	Employer Identification number Do not include Social Security number or ITIN.
Builder Pros Construction, LLC. 368 Old Morris Road Harleysville, PA 19438	building and renovation contracting  Giampa Financial Group John Giampa 2303 N. Broad St. Colmar, PA 18915	Dates business existed EIN: 47-1280649 From-To June 23, 2014 - June, 2017
Carbone Realty	Owner of 10 acres of land in Montrose PA in past years, natural gas rights were purchased by fracking company; contracts were terminated by fracker as no gas left.  John Giampa	EIN: From-To on-going ownership; no longer gas rights
Carbone Brothers, LLP	real estate builder/investment	EIN: From-To operations terminated 2008
Parkside American Grill Side Dish Management Side Dish LP - owned the real estate	restaurant operation sold to Fred Davi 2014	EIN: From-To ? - 2014

Debtor 1 RAYMOND I CARBONE

Case number (if known)

toxic substances, wastes, or material into the air, land, soil, surface water, groundwater, or other medium, including statutes or regulations controlling the cleanup of these substances, wastes, or material.

Site means any location, facility, or property as defined under any environmental law, whether you now own, operate, or utilize it or used to own, operate, or utilize it, including disposal sites.

Hazardous material means anything an environmental law defines as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, contaminant, or similar term.

Report all notices, releases, and proceedings that you know about, regardless of when they occurred.

24. Has any governmental unit notified you that you may be liable or potentially liable under or in violation of an environmental law?

☒ No

☐ Yes. Fill in the details.

Name of site Address (Number, Street, City, State and ZIP Code)	Governmental unit Address (Number, Street, City, State and ZIP Code)	Environmental law, if you know it	Date of notice
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25. Have you notified any governmental unit of any release of hazardous material?

☒ No

☐ Yes. Fill in the details.

Name of site Address (Number, Street, City, State and ZIP Code)	Governmental unit Address (Number, Street, City, State and ZIP Code)	Environmental law, if you know it	Date of notice
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26. Have you been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

☒ No

☐ Yes. Fill in the details.

Case Title Case Number	Court or agency Name Address (Number, Street, City, State and ZIP Code)	Nature of the case	Status of the case
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**Part II Give Details About Your Business or Connections to Any Business**

27. Within 4 years before you filed for bankruptcy, did you own a business or have any of the following connections to any business?

☒ A sole proprietor or self-employed in a trade, profession, or other activity, either full-time or part-time

☐ A member of a limited liability company (LLC) or limited liability partnership (LLP)

☒ A partner in a partnership

☐ An officer, director, or managing executive of a corporation

☐ An owner of at least 5% of the voting or equity securities of a corporation

☐ No. None of the above applies. Go to Part 12.

☒ Yes. Check all that apply above and fill in the details below for each business.

Business Name Address (Number, Street, City, State and ZIP Code)	Describe the nature of the business Name of accountant or bookkeeper	Employer identification number Do not include Social Security number or ITIN.
Self Employed Under name	Contracting / Remodeling	Dates business existed EIN:
Carbone Bros., LLP 368 Old Morris Rd. Harleysville, PA 19438	Contracting	From-To 2014-Present EIN: From-To 2000-2014

## Exhibit Personal Expenses Page 1 of 1



## Expense Summary

Page 1 of 22

FOR

CARBONE BROTHERS

REPORT DATE

01/05

QUARTER ENDING: 12/31/04

Employee Name and Account Number		Air & Lodging	Other Travel Related	Restaurants & Entertainment	Business Services	Materials, Supplies & Equipment	General Retail & Mail Order	Communications & Utilities	Other	Total Expenses
SALVATORE CARBONE	QTR	\$0.00	\$1,743.93	\$384.85	\$222.23	\$1,362.77	\$1,443.18	\$2,791.88	\$810.09	\$8,864.37
XXXXXXXXXX	YTD	\$0.00	\$3,944.39	\$1,529.21	\$222.23	\$6,535.37	\$3,165.66	\$5,660.73	\$1,834.28	\$23,291.77
RAYMOND CARBONE	QTR	\$0.00	\$872.85	\$0.00	\$763.87	\$5,262.53	\$1,227.91	\$0.00	\$0.00	\$7,856.82
XXXXXXXXXX	YTD	\$0.00	\$4,080.68	\$4.45	\$1,037.34	\$26,575.59	\$2,565.46	\$169.19	\$254.69	\$35,894.30
BRUNO CARBONE	QTR	\$0.00	\$388.04	\$0.00	\$0.00	\$365.91	\$102.69	\$98.00	\$0.00	\$1,780.04
XXXXXXXXXX	YTD	\$0.00	\$3,585.06	\$0.00	\$163.00	\$3,712.88	\$627.88	\$286.80	\$148.07	\$8,413.47
WENDY S CARBONE	QTR	\$0.00	\$880.84	\$272.44	\$3,672.13	\$1,423.73	\$4,952.91	\$0.00	\$851.39	\$11,673.94
XXXXXXXXXX	YTD	\$0.00	\$1,982.34	\$580.63	\$3,771.02	\$5,716.29	\$13,568.51	\$0.00	\$710.91	\$26,329.70
BEVERLY CARBONE	QTR	\$0.00	\$439.09	\$71.10	\$0.00	\$1,254.03	\$1,810.69	\$71.70	\$36.00	\$3,682.31
XXXXXXXXXX	YTD	\$0.00	\$1,825.56	\$472.62	\$0.00	\$4,567.57	\$5,093.40	\$286.80	\$433.22	\$12,679.47
Category Totals	QTR	\$0.00	\$4,700.75	\$728.23	\$4,128.83	\$8,867.77	\$9,537.18	\$2,958.88	\$1,695.89	\$33,676.52
	YTD	\$0.00	\$15,428.33	\$2,585.91	\$5,183.48	\$47,307.35	\$26,020.91	\$7,400.52	\$3,381.17	\$107,308.71

EXHIBIT C

## UNIFORM CONSTRUCTION PERMIT APPLICATION

## Location of Proposed Work or Improvement

County: Bucks Municipality: Sellersville BoroughSite Address: 278-279 Elmhurst Tax Parcel #: 39-008-278

Lot #: \_\_\_\_\_ Subdivision/Land Development: \_\_\_\_\_ Phase: \_\_\_\_\_ Section: \_\_\_\_\_

Owner: Cathy Sikora Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_Mailing Address: 1047 E Greene Way Collegeville E-Mail: \_\_\_\_\_Principal Contractor: Carbone Brothers Phone #: 610-637-0632 Fax #: \_\_\_\_\_Mailing Address: 3 Ring Circle Hatfield E-Mail: \_\_\_\_\_Architect: Michael A. Diccio Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_Mailing Address: 3108 Dovecote Drive Quakertown E-Mail: \_\_\_\_\_

## Type of Work or Improvement (check one)

- ☒ New Building   ☐ Addition   ☐ Alteration   ☐ Repair   ☐ Demolition   ☐ Relocation  
☐ Foundation Only   ☐ Change of Use   ☐ Plumbing   ☐ Mechanical   ☐ Electrical

Describe the proposed work: New Single Family ResidenceEstimated Cost of Construction (reasonable fair market value) \$ 165,000Fee 350 + 200 =550.00 2,234.70  
Building Permit

## Description of Building Use (check one)

Residential

- ☒ One-Family Dwelling (R-3)  
☐ Two-Family Dwelling (R-3)

Non-Residential

Specific Use: \_\_\_\_\_  
 Use Group: \_\_\_\_\_  
 Change in Use: ☐ Yes ☐ No  
 If Yes, Indicate Former: \_\_\_\_\_  
 Maximum Occupancy Load: \_\_\_\_\_  
 Maximum Live Load: \_\_\_\_\_

## Building/Site Characteristics

Number of Residential Dwelling Units: 0 Existing 1 ProposedMechanical: Indicate Type of Heating/Ventilating/Air Conditioning (i.e., electric, gas, oil, etc.) Electric

Water Service: (check) ☒ Public ☐ Private  
 Sewer Service: (check) ☒ Public ☐ Private

Sent M... ..

Does or will your building contain any of the following:

Fireplace(s): Number 1 Type of Fuel Wood Type Vent 7" ACBI secure Temp  
 Elevator/Escalators/Lifts/Moving walks: (check) Yes ☐ No ☒  
 Sprinkler System: Yes ☐ No ☒  
 Pressure Vessels: Yes ☐ No ☒  
 Refrigeration System: Yes ☐ No ☒

**Building Dimensions**

Existing Building Area: 0 sq. ft. Number of Stories: 2  
 Proposed Building Area: 2011 sq. ft. Height of Structure Above Grade: 32 ft.  
 Total Building Area: 2011 sq. ft. Area of the Largest Floor: 1428 sq. ft.

**Floodplain**

Is the site located within an identified flood hazard area: (check one) ☐ Yes ☒ No  
 Will any portion of the flood hazard area be developed: (check one) ☐ Yes ☒ No ☒ N/A

Owner/Agent shall verify that any proposed construction and/or development activity complies with the requirements of the National Flood Insurance Program and the Pennsylvania Flood Plain Management Act (Act 166-1978), specifically Section 60.3

Lowest Floor Level: \_\_\_\_\_

**Historic District**

Is the site located within a Historic District? ☐ Yes ☒ No  
 If construction is proposed within a Historic District, a certificate of appropriateness may be required by the Municipality.

The applicant certifies that all information on this applications is correct and the work will be completed in accordance with the "approved" construction documents and PA Act 45 (Uniform Construction Code) and any additional approved building code requirements adopted by the Municipality. The property owner and applicant assumes the responsibility of locating all property lines, setback lines, easements, right-of-way, flood areas, etc. Issuance of a permit and approval of construction documents shall not be construed as authority to violate, cancel or set aside any provisions of the codes or ordinances of the Municipality or any other governing body. The applicant certifies he/she understands all the applicable codes, ordinances and regulations.

Application for a permit shall be made by the owner or lessee of the building or structure, or agent of either, or by the registered design professional employed in connection with the proposed work.

I certify that the code administrator or the code administrator's authorized representative shall have the authority to enter areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit.

Raymond Carbone  
 Signature of Owner or Authorized Agent

Raymond Carbone  
 Print Name of Owner or Authorized Agent

3 Gine Circle, Hatfield, Pa 19440  
 Address Date 2-21-2014

Direction to Site: Park Av to Silver to  
Right on Elmhurst

DEED DESCRIPTION FOR  
CARBONE BROTHERS PROPERTY  
SITUATE AT 278 & 279 ELMHURST AVENUE  
LOT CONSOLIDATION  
SELLERSVILLE BOROUGH  
BUCKS COUNTY, PA

All that certain tract or parcel of land situate in the Borough of Sellersville, County of Bucks, State of Pennsylvania, bounded and described according to a plan entitled "Grading Permit Plan", Sheet 1 of 1, prepared for Carbone Brothers Property, prepared by Borusiewicz Surveyors & Site Planners, dated April 15, 2014, File No. BA2249, and as follows to wit:

BEGINNING at a property corner at the intersection of the Northerly side of Elmhurst Avenue (40' wide) and the Westerly side of Herbert Street (40' wide); thence, from said beginning point, continuing along the said Northerly side of Elmhurst Avenue, South 45 degrees 20 minutes 00 seconds West 80.00' to a property corner in line of Lands now or formerly of Audrey Norris; thence, leaving the said side of Corson Street and along said Lands, North 44 degrees 40 minutes 00 seconds West 150.00' to a property corner on the Southerly side of a 16' wide Alley; thence, along said Alley, North 45 degrees 20 minutes 00 seconds East 80.00' to a property corner on the aforementioned Westerly side of Herbert Street; thence, along the said side of Herbert Street, South 44 degrees 40 minutes 00 seconds East 150.00' to the first mentioned point and place of BEGINNING.

CONTAINING: 12,000 SF (0.2755 Acres)

APPROVED  
6/9/14



WITH MULCH CONTROL NETTING OR EROSION CONTROL BLANKETS MUST BE INSTALLED ON ALL SLOPES 3:1 OR

MULCH SHALL BE APPLIED IN LONG STRANDS, NOT CHOPPED OR FINELY BROKEN.

IF SITE IS STABILIZED, ALL EROSION AND SEDIMENT BMP'S MUST BE MAINTAINED PROPERLY. MAINTENANCE  
INCLUDE INSPECTIONS OF ALL EROSION AND SEDIMENT CONTROL BMP'S AFTER EACH RUNOFF EVENT AND ON A  
BASIS. ALL PREVENTATIVE AND REMEDIAL MAINTENANCE WORK, INCLUDING CLEANOUT, REPAIR,  
RESEEDING, REMULCHING, AND RENETTING, MUST BE DONE IMMEDIATELY. IF EROSION  
CONTROL BMP'S FAIL TO PERFORM AS EXPECTED, REPLACEMENT BMP'S, OR MODIFICATIONS TO THOSE  
BMP'S WILL BE REQUIRED.

IT REMOVED FROM BMP'S SHALL BE DISPOSED OF IN LANDSCAPE AREAS OUTSIDE OF STEEP SLOPES,  
DRAINAGE SWALES AND IMMEDIATELY STABILIZED, OR PLACED IN STOCKPILES.

CONTRACTOR SHALL REMOVE FROM THIS SITE, RECYCLE, OR DISPOSE OF ALL BUILDING MATERIALS AND WASTE IN  
ACCORDANCE WITH THE DEPARTMENT'S SOLID WASTE MANAGEMENT REGULATIONS AT 25 PA. CODE 260.1 ET SEQ.,  
SEQ. THE CONTRACTOR SHALL NOT ILLEGALLY BURY, DUMP, OR DISCHARGE ANY BUILDING MATERIAL OR  
WASTE AT THIS SITE.

PLAN SHALL BE SUBMITTED TO THE DEPARTMENT OR AUTHORIZED CONSERVATION DISTRICT AND  
APPROVED FOR ALL SPOIL AND BORROW AREAS, REGARDLESS OF THEIR LOCATION.

RECEIVING WATERCOURSE IS THE SCHUYLKILL RIVER AND THE CHAPTER 93 CLASSIFICATION IS WWF  
(WATER FISHERY).

COMPLETION OR TEMPORARY CESSATION OF THE EARTH DISTURBANCE ACTIVITY THE PROJECT SITE SHALL BE  
IMMEDIATELY STABILIZED IN ACCORDANCE WITH THE RECOMMENDATIONS CONTAINED IN THE EROSION AND  
POLLUTION CONTROL PROGRAM MANUAL (E&S MANUAL), COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF ENVIRONMENTAL PROTECTION NO. 363-2134-008, APRIL 2000, AS AMENDED AND UPDATED. EROSION  
CONTROL BMP'S SHALL BE IMPLEMENTED AND MAINTAINED UNTIL PERMANENT STABILIZATION IS  
ACHIEVED AND POSM BMP'S ARE OPERATIONAL.

PROJECT WILL DISTURB 18,000 SQ. FT. (0.43 AC)



AS PER BORO ENGINEER REVIEW

PREPARED FOR:

**CARBONE BROTHERS PROPERTY**  
**278 & 279 ELMHURST AVE**  
SELLERSVILLE BOROUGH, BUCKS COUNTY, PA

## GRADING PERMIT PLAN



**BORUSIEWICZ**  
**SURVEYORS AND SITE PLANNERS**

323 COATES STREET  
BRIDGEPORT, PA 19405

610.941-7181 EMAIL TBORUSIEWICZ@AOL.COM

DATE: 04/15/2014

SCALE: 1 INCH = 10 FEET

SHEET NO.: 1 OF 2

PARID: 39-008-278

BIRD, CATHY

MUN: 39 - SELLERSVILLE BORO  
260 ELMHURST AVE

### Parcel

Included Parcel	No
Included Parcel Parent	
Has Included Parcel	
Property Address	260 ELMHURST AVE
Unit Desc	-
Unit #	
City	
State	
Zip	
File Code	1 - Taxable
Class	R - Residential
LUC	1001 - Conventional
Additional LUC	-
School District	S11 - PENNRIDGE SD
Special Sch Dist	-
Topo	1 - Level
Utilities	1 - All Public
Roads	2 - Semi-Improved
Total Cards	1
Living Units	1
CAMA Acres	.2755

### Parcel Mailing Details

In Care Of	
Mailing Address	45 W MOUNT KIRK AVE EAGLEVILLE PA 19403

EXHIBIT "2"

**BUCKS COUNTY RECORDER OF DEEDS**

55 East Court Street  
Doylestown, Pennsylvania 18901  
(215) 348-6209

Instrument Number - 2014012288

Recorded On 3/14/2014 At 3:01:15 PM

\* Total Pages - 5

\* Instrument Type - DEED

Invoice Number - 646443

User - SMC

\* Grantor - NILES, SPENCER G

\* Grantee - BIRD, CATHY

\* Customer - SIMPLIFILE LC E-RECORDING

**\* FEES**

STATE TRANSFER TAX	\$455.00
RECORDING FEES	\$75.00
PENNRIDGE SCHOOL	\$227.50
DISTRICT REALTY TAX	
SELLERSVILLE BOROUGH	\$227.50
TOTAL PAID	\$985.00

Bucks County UPI Certification  
On March 14, 2014 By MDM

This is a certification page

**DO NOT DETACH**

This page is now part  
of this legal document.

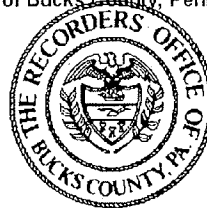
**RETURN DOCUMENT TO:**

ATTORNEY'S ABSTRACT

116 E KING STREET

MALVERN, PA 19355

I hereby CERTIFY that this document is  
recorded in the Recorder of Deeds Office  
of Bucks County, Pennsylvania.



Joseph J. Szafran, Jr.  
Recorder of Deeds

\* - Information denoted by an asterisk may change during  
the verification process and may not be reflected on this page.

0EF588



CERTIFIED PROPERTY IDENTIFICATION NUMBERS		
39-008-279-	-	SELLERSVILLE BO
39-008-278-	-	SELLERSVILLE BO
CERTIFIED 03/14/2014 BY MDM		

Prepared by and Return to:

Attorneys Abstract, LLC  
43 Leopard Rd, Ste 103  
Paoli, PA 19301  
610-296-3701

File No. 1335

UPI # 39-008-279 and 39-008-278

**This Indenture**, made the 10 day of March, 2014,

**Between**

**SPENCER G. NILES**

(hereinafter called the Grantor), of the one part, and

**CATHY BIRD**

(hereinafter called the Grantee), of the other part,

**Witnesseth**, that the said Grantor for and in consideration of the sum of **Forty Five Thousand Five Hundred Dollars 00/100 (\$45,500.00)** lawful money of the United States of America, unto him well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee, as sole owner

**ALL THAT CERTAIN** tract of land, situate in Sellersville Borough, Bucks County, Pennsylvania, designated as Lot No. 25, Section 7, as shown and laid out on a certain plan of Sellersville Heights, which is recorded in Plan Book 1 page 104, bounded and described as follows, to wit:

**BEGINNING** at a point for a corner in the Northwesterly side of Clinton Avenue, 40 feet wide, said point of being South 45 degrees 20 minutes West, along said Northwesterly side of said Clinton Avenue, 40 feet from a point at its intersection with the Southwesterly side of Herbert Street, 40 feet wide); thence from said point of beginning, along said Northwesterly side of Clinton Avenue, South 45 degrees 20 minutes West, 40 feet to a point for a corner; thence along Lot No. 24, North 44 degrees 40 minutes West, 150 feet to a point for a corner in the Southeasterly side of a 16 feet wide alley; thence along said Southeasterly side thereof, North 45 degrees 20 minutes East, 40 feet to a point for a corner; thence along Lot No. 26, South 44 degrees 40 minutes East, 150 feet to the place of beginning.

**BEING** known as Parcel No. 39-8-279

**ALL THAT CERTAIN** lot or parcel of land, situate in the Borough of Sellersville, Bucks County, State of Pennsylvania, being bounded and described according to a recent survey thereof, made by Metz and Weir, Civil Engineers, as follows, to wit:

**BEING** Lot No. 26 of Section 7, as shown and laid out on a certain plan of "Sellersville Estates", being 40 feet front by 150 feet in depth, as per plan, which plan is recorded in the Office for the Recording of Deeds in and for the County of Bucks, in Plan Book No. 1 page 104.

**BEING** known as Parcel No. 39-8-278

Being the same premises which Hugh S. Niles by Deed dated 8/3/2004 and recorded 10/27/2004 in Bucks County in Land Record Book 4167 Page 2097 conveyed unto Spencer G. Niles, in fee.

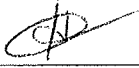
**Together with** all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of him, the said grantor, as well at law as in equity, of, in and to the same.

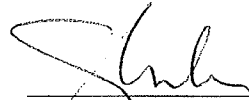
**To have and to hold** the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns, forever.

**And** the said Grantor, for herself and her heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantee, its successors and assigns, that he, the said Grantor, and her heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against him, the said Grantor, and her heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

In Witness Whereof, the party of the first part has hereunto set her hand and seal. Dated the day and year first above written.

Sealed and Delivered  
IN THE PRESENCE OF US:

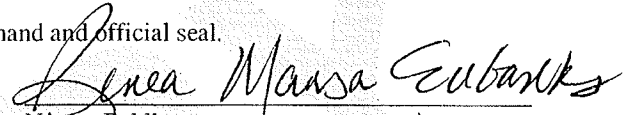
  
\_\_\_\_\_

  
\_\_\_\_\_  
Spencer G. Niles {SEAL}

State of Virginia  
County of James City } ss

On this, the 10 day of March, 2014, before me, the undersigned Notary Public, personally appeared **Spencer G. Niles**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

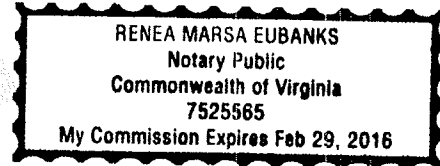
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public  
My commission expires 2/29/2016

The precise residence and the complete post office address of the above-named Grantee is:

2542 Acorn Lane  
Lansdale, PA 19446

  
\_\_\_\_\_  
On behalf of the Grantee



# Deed

UPI # 39-008-279 and 39-008-278

Spencer G. Niles

TO

Cathy Bird

Attorneys Abstract, LLC  
43 Leopard Rd, Ste 103  
Paoli, PA 19301  
Phone 610-296-3701 Fax 610-296-3702



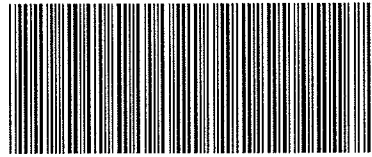
EXHIBIT "3"



RECORDER OF DEEDS  
MONTGOMERY COUNTY  
*Nancy J. Becker*

One Montgomery Plaza  
Swede and Airy Streets ~ Suite 303  
P.O. Box 311 ~ Norristown, PA 19404  
Office: (610) 278-3289 ~ Fax: (610) 278-3869

**DEED BK 5918 PG 00206 to 00210**  
INSTRUMENT # : 2014040334  
RECORDED DATE: 06/26/2014 01:44:56 PM



3090925-0010M

**MONTGOMERY COUNTY ROD**

**OFFICIAL RECORDING COVER PAGE**

Page 1 of 5

**Document Type:** Deed  
**Document Date:** 06/26/2014  
**Reference Info:**

**Transaction #:** 3072379 - 1 Doc(s)  
**Document Page Count:** 4  
**Operator Id:** sford

**RETURN TO:** (Simplifile)  
Attorney's Abstract  
43 Leopard Rd., Ste 103  
Paoli, PA 19301

**PAID BY:**  
ATTORNEYS ABSTRACT

**\* PROPERTY DATA:**

Parcel ID #: 43-00-08981-00-3  
Address: 45 W MT KIRK AVE

PA  
Municipality: Lower Providence Township  
(100%)  
School District: Methacton

**\* ASSOCIATED DOCUMENT(S):**

**CONSIDERATION/SECURED AMT:** \$120,000.00  
**TAXABLE AMOUNT:** \$120,000.00

**FEES / TAXES:**

Recording Fee: Deed	\$83.00
State RTT	\$1,200.00
Lower Providence Township RTT	\$600.00
Methacton School District RTT	\$600.00
<b>Total:</b>	<b>\$2,483.00</b>

DEED BK 5918 PG 00206 to 00210  
Recorded Date: 06/26/2014 01:44:56 PM

I hereby CERTIFY that  
this document is  
recorded in the  
Recorder of Deeds  
Office in Montgomery  
County, Pennsylvania.



Nancy J. Becker  
Recorder of Deeds

**PLEASE DO NOT DETACH**

**THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT**

NOTE: If document data differs from cover sheet, document data always supersedes.

\*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

Prepared by and Return to:

Attorneys Abstract, LLC  
43 Leopard Rd, Ste. 103  
Paoli, PA 19301  
610-296-3701

File No. 1388

UPI # 43-00-08981-003

MONTGOMERY COUNTY COMMISSIONERS REGISTRY  
43-00-08981-00-3 LOWER PROVIDENCE TOWNSHIP  
45 W MT KIRK AVE  
WALTERS RICHARD P JOAN D  
B 024 L U 073 2104 06/26/2014

\$15.00  
LG

**This Indenture**, made the 26th day of June, 2014,

**Between**

**RICHARD P. WALTERS AND JOAN D. WALTERS**

(hereinafter called the Grantors), of the one part, and

**CATHY BIRD SIKORA**

(hereinafter called the Grantee), of the other part,

**Witnesseth**, that the said Grantors for and in consideration of the sum of **One Hundred Twenty Thousand Dollars 00/100 (\$120,000.00)** lawful money of the United States of America, unto them well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantee, as sole owner

**ALL THAT CERTAIN** lot or parcel of land, **SITUATE** in Lower Providence Township, Montgomery County, Pennsylvania, described according to a Subdivision prepared for R. Gurness Walters and Richard Walters by Meixner, Civil Engineers and Surveyors on September 28, 1978, last revised January 30, 1979, as follows:

**BEGINNING** at a point on the Northwesterly ultimate right of way line of West Mt. Kirk Avenue (40.00 feet wide), a corner of this and the land now or late of John Salamone; thence along the lands of John Salamone North 42 degrees, 20 minutes, West 242.72 feet to a point; thence along Lot No. 2A North 47 degrees, 40 minutes, East 103.00 feet to a point; thence continuing along Lot No. 2A and along Lot No. 3A South 42 degrees, 20 minutes, East 242.72 feet to a point; thence along the Northwesterly ultimate right of way line of West Mt. Kirk Avenue South 47 degrees, 40 minutes, West 103.00 feet to the point and place of beginning.

**CONTAINING** 25,000 square feet.

**BEING** Parcel No.: 43-00-08981-00-3.

**BEING as to part** the same premises which Clara V. Biddle, widow and Daniel E. Biddle and Helen E. Biddle, his wife, by Deed dated 11/29/1935 and recorded at Norristown in the Office for the Recorder of Deeds in and for the County of Montgomery in Deed Book 1205 page 86 granted and conveyed unto R. Gurness Walters and Florence P. Walters, his wife, their heirs and assigns, in fee.

**BEING as to part** the same premises which Richard P. Walters and Joan D. Walters, his wife, by Deed dated 12/08/1966 and recorded at Norristown in the Office for the Recorder of Deeds in and for the County of Montgomery on 12/09/1966 in Deed Book 3453 page 1107 granted and conveyed unto Richard P. Walters and Joan D. Walters, his wife, their heirs and assigns, as tenants by the entireties, in fee.

**AND BEING** the same premises which R. Gurness Walters and Florence P. Walters, husband and wife and Richard P. Walters and Joan D. Walters, husband and wife, by Deed dated 03/26/1979 and recorded at Norristown in the Office for the Recorder of Deeds in and for the County of Montgomery on 03/28/1979 in Deed Book 4397 page 202 granted and conveyed unto Richard P. Walters and Joan D. Walters, their heirs and assigns, as tenants by the entireties, in fee.

**Together with** all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of them, the said grantors, as well at law as in equity, of, in and to the same.

**To have and to hold** the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, her heirs and assigns, to and for the only proper use and behoof of the said Grantee, her heirs and assigns, forever.

**And** the said Grantors, for themselves and their heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantee, her heirs and assigns, that they, the said Grantors, and their heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, her heirs and assigns, against them, the said Grantors, and their heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantors but not otherwise.

**In Witness Whereof**, the parties of the first part have hereunto set their hands and seals. Dated the day and year first above written.

Sealed and Delivered  
IN THE PRESENCE OF US:



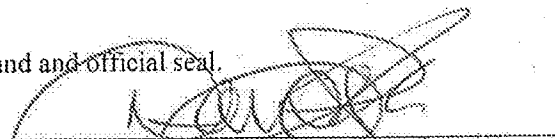
Richard P. Walters {SEAL}  
Richard P. Walters

Joan D. Walters {SEAL}  
Joan D. Walters

Commonwealth of Pennsylvania } ss  
County of Montgomery


On this, the 26th day of June, 2014, before me, the undersigned Notary Public, personally appeared **Richard P. Walters and Joan D. Walters**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

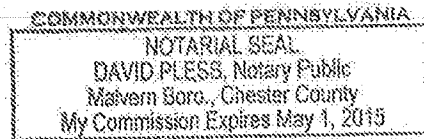
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
Notary Public  
My commission expires May 1, 2015

The precise residence and the complete post office address of the above-named Grantee is:

1047 Greenes Way Circle  
Collegeville, PA 19426

  
On behalf of the Grantee



# Deed

UPI # 43-00-08981-003

Richard P. Walters and Joan D. Walters

TO

Cathy Bird Sikora

Attorneys Abstract, LLC  
43 Leopard Rd, Ste 103  
Paoli, PA 19301  
Phone 610-296-3701 Fax 610-296-3702

06/26/2014 01:44:56 PM

DEED BK 5918

PG 00210

MONTICO